IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 5955 of 2005

Between:

The Agricultural Market Committee, Alair, Nalgonda District rep., by its Chairman, Jukanti Ravinder,
s/o Shivaiah, r/o Nalgonda District.

..... PETITIONER

AND

1 The Government of India, rep., by its Secretary, Ministry of

Finance, New Delhi.
2 The Director of Income Taxes (Exemptions) Andhra Pradesh,

Hyderabad.
3 The Income Tax Officer, Ward No.II, Nalgonda, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of certiorari calling for the records on the file of the 2nd respondent in file No. DIT(E)/12(A)/19(06)/2004-2005 dt.26-10-2004 is illegal, arbitrary and against the Art.14 of the Constitution of India and quash the same and consequently direct the 2nd respondent to re-consider the application of the petitioner for registration under Sec.12(a) of the Income Tax Act and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.V.V.N.NARAYANA RAO

Counsel for the Respondent No.1:

Counsel for Respondents 2 & 3 :MR.S.R.ASHOK

The Court at the stage of admission made the following :

ORAL ORDER: (Per Sri BRSR.J)

The petitioner intends to prefer an appeal against the impugned order dated 26.10.2004 passed by the Director of Income Tax (Exemptions) Hyderabad whereunder the application of the petitioner-Market committee seeking registration under Section 12-A (a) of the Income Tax Act, 1961 has been rejected. The appeal, if any, to be preferred by the petitioner may have to be considered on its own merits uninfluenced by the dismissal of this writ petition since we have not expressed any opinion whatsoever on the merits of the case and about the validity of the impugned order.

The writ petition shall accordingly stand dismissed. No costs.

(B.SUDERSHAN REDDY,J)

(C.V.RAMULU,J)

dated 21..04..2005

msv.

To

1 The Secretary,

Ministry of Finance, Government of India, New Delhi.
2 The Director of Income Taxes (Exemptions) Andhra Pradesh,

Hyderabad.
3 The Income Tax Officer, Ward No.II, Nalgonda, Nalgonda District.

4 2 CD copies.